

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 592 of 1987

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GOPALBHAI BHIKRAM

Versus

STATE OF GUJARAT

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Appearance:

MR RD DAVE for Petitioner

Mr.M.A.Bukhari ld.ADDL>PUBLIC PROSECUTOR for Respondent No. 1

SERVED for Respondent No. 2

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CORAM : MR.JUSTICE N.J.PANDYA

Date of decision: 01/10/97

ORAL ORDER:

The matter was filed on 30th July 1987. It was being taken up by a learned single Judge of this Court when after initial discussion, L.A. Mr.Dave sought time to amend for challenging the vires of Indian Forest (Gujarat Amendment)m Act, 1983. This had the effect of taking the matter before Division Bench. Ever since then, the matter has been pending. Before the said request for amendment, notice was already issued to the State, but no stay was granted.

2. After the matter was taken up by the Division Bench, no progress was made and finally, on 29-7-1997 it was declared on behalf of the petitioner that the said challenge of the vires would not survive on account of the question having already been concluded by order dated 7th April 1986 in SCA No.3700 of 1984 and other allied matters. The matter involves confiscation of Truck No.GTW137 belonging to the petitioner. Except for the challenge to the vires, there is hardly any substance in the matter. The confiscation order has come at the end of proceedings under Sec.61(A) before a competent authority who has passed the impugned Annexure A page 16

to 36. The matter was carried by way of Appeal before the learned Additional Sessions Judge, Junagadh where it came to be dismissed by order dated 29th April 1987. The net result, therefore, is that the petition is rejected for want of merits. Notice is discharged.

(N.J.Pandya, J.)

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